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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Gert Heidenreich

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EXAMINER

SEYE, ABDOU K

ART UNIT

PAPER NUMBER

2194

DATE MAILED: 11/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/667,890

Applicant(s)

HEIDENREICH, GERT

Examiner

Abdou Karim Seye

Art Unit

2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 23 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 and 20-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 and 20-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 02/17/2004.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This is the initial office action based on the application filed on September 23, 2003.

Claims 1-18 and 20-22 are currently pending and have been considered below.

Claim Objections

2. Claim number "19 " is not presented; this is to let the applicant be aware of the missing claim number. The examiner considers this as typographical error from the applicant. According to the "MPEP" Under section 608.01(i)(f) If there are several claims, they shall be numbered consecutively in Arabic numerals.

A correction is required from the applicant.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter that the applicant regards as his invention.

^c
Claims 1,6,9-10,12-14,18 and 20-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 1,10,18 and 21 recite the limitation "the result". There is insufficient antecedent basis for the limitation in these claims.

Claims 1,18, 20 recite the limitation "the message " it is unclear which message in the claim the applicant is referring to, since the expression "a message " is present twice in the claim therefore dependent claims 6,9,12 and 14, are also affected by the same rejection.

Claim 10 recites the limitation "the address". There is insufficient antecedent basis for the limitation in this claim.

Claim 13 recites the limitation "the processing". There is insufficient antecedent basis for the limitation in this claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-13,15-18 and 20 -22 are rejected under 35 U.S.C. 102(b) as being anticipated by **Ireland, et al. (US 6266666)**.

Claims 1, 18 and 20- 22: Ireland discloses a method and system for controlling an application process in a distributed system, comprising:

- a. Providing a client (abstract; fig. 2, col. 6, lines 3-15);
- b. Providing a server (abstract; fig. 2, col. 6, lines 3-15);

- c. Providing an interface between a first and second layer, with a server request (fig. 2, col. 6, lines 13-15);
- d. The client converting/translating a server request into a message with relevant arguments (fig. 2, col. 6, lines 34-38; fig. 4,5, col. 10, lines 1-10); and
- e. The client sending the request to the server, the request is forwarded and processed and the result of the request is returned (abstract; fig. 5, col. 10, lines 1-10; fig. 6/610; col. 10, lines 37-42).

Claim 2: Ireland discloses a method and system as in claims 1, 18 and 20-22 above and further discloses that the second layer and/or its components are configured for routing the server request to the database servers (fig. 2, col. 6, lines 35-38).

Claim 3: Ireland discloses a method and system as in claims 1, 18 and 20-22 above and further discloses that the server request is subdivided into a first transaction, originating from the client to the server (client request), and a second transaction, originating from the server to the client (result set) (col. 10, lines 37-42).

Claim 4: Ireland discloses a method and system as in claims 1, 18 and 20-22 above and further discloses that the client belongs to the first layer and the server belongs to the second and/or third layer (fig. 2/221,230, col. 6, lines 7-20).

Claim 5: Ireland discloses a method and system as in claims 1, 18 and 20-22 above and further discloses that the server, after processing the request, sends a result of the request to the calling client (col. 10, lines 37-42; fig. 2, col. 8, lines 17-25).

Claim 6: Ireland discloses a method and system as in claims 1, 18 and 20-22 above and further discloses that the addresses and/or return addresses for the server request are included in the message (col. 10, lines 50-67; col. 14, lines 33-59).

Claim 7: Ireland discloses a method and system as in claims 1, 18 and 20-22 above and further discloses that the second layer and /or third layer include subsystems (fig. 2 col. 7, lines 21-25; col. 6, lines 7-20).

Claim 8: Ireland discloses a method and system as in claims 1, 18 and 20-22 above and further discloses that the server requests are nested/multithreaded. The element "multithreading a thread" of Ireland reference (fig. 2, col. 7, lines 30-35) meets the claimed limitation of the claim.

Claim 9: Ireland discloses a method and system as in claims 1, 18 and 20-22 above and further discloses that a result is routed based on information contained in the message; method name (col. 12, lines 19-26).

Claim 10: Ireland discloses a method and system as in claims 1, 18 and 20-22 above and further discloses that the message includes metadata information: an origin (name), destination name and a destination name for the result sets (col. 10, lines 50-67; col. 12, lines 19-26).

Claim 11: Ireland discloses a method and system as in claim 10 above and further discloses that the origin and destination name correspond by sending the output back to the same client (col. 16, lines 30-40).

Claim 12: Ireland discloses a method and system as in claims 1, 18 and 20-22 above and further discloses that the message of the client from the first layer is sent to a

Art Unit: 2194

component of the second layer, which then forwards the message to a processing component (fig. 2, col. 7, lines 21-67).

Claim13: Ireland discloses a method and system as in claims 1, 18 and 20-22 above and further discloses that the processing in the second layer is performed asynchronously (fig. 2, col. 7, lines 58-62).

Claim 15: Ireland discloses a method and system as in claims 1, 18 and 20-22 above and further discloses that multiple calls of multiple clients are stored in a queue (fig. 2, col. 7, lines 60-62).

Claim 16: Ireland discloses a method and system as in claims 1, 18 and 20-22 above and further discloses of the second layer includes multiple subsystems (fig. 2, col. 7, lines 21-25).

Claim 17: Ireland discloses a method and system as in claims1,18 and 20-22 above and further discloses that the servers of the second layer is/are not required to administer request-related address information (fig. 2, col. 8, lines 12-15). The expression "User identity is based on operating system login" means that no user authentication is needed when executing a method function within the second layer, therefore this meets the claimed limitation of the claim.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103 (a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2194

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 14 is rejected under 35 U.S.C. 103 (a) as being unpatentable over

Ireland et al. (US 6266666) in view of Helland et al. (US 6134594).

Claim 14: Ireland discloses a method as in claim 1, 18 and 20-22 above and further discloses that the interface between the first and the second layer includes components configured as single threaded and a transaction management for supporting asynchronous transaction by using a queuing service (fig. 2, col. 7, lines 21-62), but he does not explicitly disclose that the client call is blocked waiting for result sets from the second layer. However, in the same field of endeavor Helland discloses a multi-tier system that includes the steps of blocking a call until previous call(s) of originating base client returns result sets (fig. 6, col. 17, lines 50-60). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Ireland invention with Helland invention in order to avoid any inadvertent parallelism, which could corrupt an application state for a single threaded system. One would have been motivated to use call blocking to protect the server application components in an activity from inadvertent parallelism that could corrupt the data being processed by the activity. Therefore, one would block simultaneous client calls into the activity to a server application components in order to gain data integrity.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure.

Buhle et al (6266104) discloses a method for ensuring effective and accurate authentication and authorization in an N-tier relational database management system.

Habusha et al (6446144) discloses a method and system for managing the transfer of message packets between first and second nodes in a message queuing system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Exr. Abdou Seye whose telephone number is (571) 270-1062. The examiner can normally be reached Monday through Friday from 7:30 a.m. to 4:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, contact the examiner's supervisor, William Thomson at (571) 272-3718. The fax phone number for formal or official faxes to Technology Center 3600 is (571) 273-8300. Draft or informal faxes, which will not be entered in the application, may be submitted directly to the examiner at (571) 273-6722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group Receptionist whose telephone number is (571) 272-3600.

AKS
October 30, 2006

William Thomson
Supervisory Patent Examiner

MENG-AN T. AN
SUPERVISORY PATENT EXAMINER
OCT 30 2006